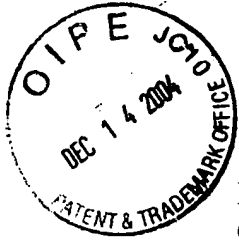


12-16-04

Pat
3624
JH/B



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

INVENTOR: Srihari Kumar et al.
CASE: P3966
SERIAL NO.: 09/854,222 **GROUP ART UNIT:** 3624
FILED: 05/10/2001 **EXAMINER:** Felten, Daniel S.
SUBJECT: Interactive Funds Transfer Interface

PARTY IN INTEREST: All inventions in the disclosure in the present case are assigned to or assignable to:

Yodlee.com, Inc.

**To: The Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450**

DEAR SIR,

APPEAL BRIEF

12/17/2004 WABDELRI 00000007 09854222
01 FC:2402 250.00 OP

37 C.F.R 1.192(c)(1) Real Party in Interest

The real party in interest is the party named above in the caption of the brief, Yodlee.com, Inc.

37 C.F.R 1.192(c)(2) Related Appeals and Interferences

This is an appeal from the Office Action of the Primary Examiner dated 10/05/2004, Finally rejecting claims 1-25, the only pending claims in the application. There are no related appeals or interferences in the instant case.

37 C.F.R 1.192(c)(3) Status of the Claims

Claims 1-25 were submitted with the original patent application USSN 09/854,222 filed on 05/10/2001. Claims 1, 10, 12 and 18 were amended in appellant's Response A, filed 2/27/2003 in response to the first non-Final action in the case mailed 12/03/2002 rejecting claims 1-25. Claims 1, 8, 10 and 18 were amended in appellant's Response B filed 9/18/2003 in response to the Final Action mailed 05/21/2003 maintaining the rejection of claims 1-25. Claims 1, 8, 10 and 18 were further amended in appellant's Response B (third Response) filed 01/15/2004 in response to the non-Final Action mailed 10/21/2003 rejecting claims 1-25. Arguments were provided in appellant's Response C filed 07/01/2004, in response to the Non-Final Action mailed on 04/2/2004 rejecting claims 1-25. Finally a Notice of Appeal was filed by appellant on 10/22/2004, in response to the Final Action mailed on 10/05/2004 maintaining the rejection of claims 1-25. Therefore claims 1-25 are left standing for examination and have been maintained in that form until the present Appeal, which is responsive to the Final Action mailed on 10/05/2004 maintaining the rejection of claims 1-25.

37 C.F.R 1.192(c)(4) Status of Amendments

Following is a chronological listing of Office Actions mailed and Responses filed in the instant case:

1. Case filed with claims 1-25 on 05/10/2001, case accorded USSN 09/854,222
2. First non-Final Action mailed 12/03/2002 rejecting claims 1-25.
3. Response filed on 2/27/2003 as Response A, amending claims 1, 10, 12 and 18.
4. Final Action mailed 05/21/2003 maintaining the rejection of claims 1-25.
5. Response to Final filed on 9/18/2003 as Response B amending claims 1, 8, 10 and 18.
6. Non-Final action mailed on 10/21/2003 rejecting claims 1-25.
7. Response filed 01/15/2004 as Response B further amending claims 1, 8, 10 and 18.
8. Non-Final Action mailed 04/24/2002 rejecting claims 1-25.
9. Response filed on 07/01/2004 as Response C providing arguments.
10. Final action mailed 10/05/2004 maintaining the rejections of claims 1-25.
11. Notice of Appeal filed on 10/22/2004.

As of the time of this Appeal Brief, claims 1-25 stand for decision on appeal from the examiner's Final rejection made on 10/05/2004.

37 C.F.R 1.192(c)(5) Summary of the Invention

The invention is a software interface (32, Fig. 2) in a software suite (305, Fig. 24) for enabling viewing and manipulation of data through a single portal (35, Fig. 1) accessible from a data-packet-network, wherein users are enabled for proxy transferring of funds between at least a user's financial account held at one institution and a user's financial account held at another, separate, institution. The personalized software interface suite according to a first embodiment of the present invention is illustrated in the exemplary screenshot depicted in Figure 24. Figures 25-28 illustrate additional exemplary screenshots and interfaces for transferring funds by proxy, account editing, account information and funds transfer order confirmation according to embodiments of the present invention.

The personalized software interface and interactive system for transferring funds are exemplified in independent claims 1 and 18, characterized and that a user operating the main interface may indicate funds transfer orders to be performed on said financial accounts at requested times by proxy in a fashion transparent at the time of execution to the requesting user, and the funds transfer from or to said financial accounts. Independent claim 10 exemplifies the interactive method for transferring funds from or to a user's financial account held at one institution and a user's financial account held at another institution through a single interface, in accordance with the limitations of independent claims 1 and 18.

The first embodiment of the present invention as depicted in Figure 24 includes a transaction center module adapted to enable proxy collection and display of a multiplicity of subjects and for enabling multi-point transactions between the user's personal accounts. The transaction center module provides

summary-level information for a number of new transactions that have taken place in a defined time period, the account that has incurred a maximum activity in that defined time period, and the category, specific account identification, transaction amount, and the date of at least the last two transactions involve with a given account. In addition, the transaction center module allows the user to access additional transactions or to initiate transfer of funds through interactive hyperlink embedded in the main interface, wherein submodules of the interactive software suite may be accessed thereby providing the functionality for accomplishing transfer of funds.

The software suite according to a first embodiment of the present invention comprises an interactive main window (345, Fig. 25) for configuring transfer funds orders, viewing pending transfers, viewing transaction history, and viewing active account balances related to the financial accounts, an interactive selection window (359, Fig. 26) accessible through the interface, the selection window for enabling selection of the separate accounts for grouping into a list of activated accounts, and an automated confirmation window (363, Fig. 28) enabling confirmation of data parameters of a requested funds transfer. The user operating the main interface is enabled to initiate funds transfer orders to be performed on said financial accounts at requested times by proxy in a fashion transparent at the time of execution to the requesting user, and the funds transfer from or to said financial accounts.

In embodiments of the invention the data-packet-network wherein the software interface executes is the Internet network (13, Fig. 1), wherein the data is accessible over the Internet and subscribed to by the operating user (17, Fig. 1), and the data is hosted in file servers (23, 25, 27, Fig. 1) addressed on the Internet network. In some embodiments a first interactive link (347, Fig. 25) for providing access to a secondary interface for adding accounts to a list of activated accounts

for consideration in transferring funds, is embedded in the main software interface, and the main and secondary interfaces are provided in the form of a hyper-text-markup-language (HTML) web page. In other embodiments a second interactive link (361, Fig. 27) for providing access to a secondary interface for querying states of initiated funds transfers is embedded within the main interface, and may have interactive menus within the main interface comprising an interactive tool showing lists of activated accounts for transferring funds. Other embodiments of the present invention may further comprise an input for inputting account information required to successfully complete a transfer funds operation, the input interface launched automatically when missing data is detected during a funds transfer sequence.

An interactive method for transferring the funds from or to a user's financial account held at one institution, and a user's financial account held at another institution through a single interface is provided, comprising the steps of inputting in a data field within the single interface a transfer amount, selecting from a data menu within the single interface a date for the funds transfer to execute, selecting from a data menu within the single interface a financial institution and associated account number of an account the transfer amount will be taken from, selecting from a data menu within a single interface a financial institution and associated account number of and account the transfer amount will be deposited to, and submitting the transfer funds order to be executed on the selected date. In some embodiments the data-packet-network wherein the interactive method is practiced is the Internet network, and the single interface into which the transfer amount is inputted into the data field is an HTML interface, and the transfer amount is input by selecting from a list of available amounts. In other embodiments the method is practiced by a user operating a remote computer note connected to the network, wherein the computer note is a

personal computer with Internet accessibility. In some other embodiments a computer note may be a cellular telephone with Internet accessibility, and in still other embodiments the computer note may be a personal digital assistant (PDA) with Internet capability.

An interactive system is provided for transferring funds from or to a user's online financial account held at one institution and a user's online financial account held at another, separate, institution, the funds transfer capability performed across disparate on-line accounts and services over a data-packet-network. The system comprises the first server node connected to the network providing a service-access-point for accessing users, a second server node connected to the network and accessible to the first server node, the second server node providing automated navigation, data procurement, and data aggregation on behalf of the accessing users, a plurality of server node connected to the network and accessible to the second server node, the server nodes functioning as data sources for the data procurement and aggregation, and a funds transfer software interface installed on the first server node, the interface accessible to the accessing users connected to the network by respective remote nodes. The system is characterized in that users accessing the first server node from the remote nodes interact with the funds transfer interface for the purpose of ordering funds transfers, the funds transfers performed by proxy using cooperative functions of the first and second server nodes, and funds may be transferred either from or to said financial accounts. In some embodiments the network wherein the interactive system operates is the Internet network, wherein the first server node is a portal server providing a personalized interface of the form of an HTML interface. In other embodiments the on-line accounts and services are accessible over the Internet and subscribed to by the accessing users, wherein the remote nodes are personal computers with accessibility to the Internet. The remote nodes

in some other embodiments may be cellular telephones or hand-held computers (PDAs) having accessibility to the Internet. In still some other embodiments the funds-transfer software interface is linked to at least one secondary interface provided in the form of HTML language.

37 C.F.R 1.192(c)(6) Issues

Whether the primary Examiner in the present case makes a proper 103(a) rejection of claims 1-25 as being unpatentable over Schrader et al. (U.S. 5,903, 881), hereinafter Schrader, and Hagan (U.S. 5,631,828), hereinafter Hagan in view of each other. Appellant asserts that the combination of references relied upon by the Examiner essentially fails to teach or suggest all of the limitations as recited in the standing claims, and the combination of references lacks motivation required for obviating appellant's claims in their current form. Appellant argues that neither prior art reference relied upon by the Examiner teaches, suggests or intimates, transferring of funds by proxy of funds to and from multiple separate financial accounts maintained at separate institutions, utilizing a single user interface.

37 C.F.R 1.192(c)(7) Grouping of Claims

All of the pending claims stand or fall together and there is no grouping presented of separately patentable claims.

37 C.F.R 1.192(c)(8) Argument

In the last official Office Action dated 10/05/2004, the Examiner reasserted the 103(a) rejection of claims 1-25 as being unpatentable over the references of Schrader and Hagan of record, in view of each other. Appellant's prior arguments filed 07/01/2004 that the combination of references lacks motivation and fails to teach or suggest the present invention as claimed were not persuasive to the Examiner.

In appellant's response to the official Office Action dated 05/21/02003, in which claims 1-25 were rejected under 35 U.S.C. 103(a) as unpatentable over the reference Schrader, the independent claims were amended to specifically recited proxy transfer of funds between at least a user's financial account held at one institution and a user's financial account held at another, separate institution. Appellant provided substantial argument that prior art interfaces, such as that provided by the reference of Schrader, require that on-line fund transfers be conducted at the site of the account and only support accounts held at a common (same) institution. The invention of the present application provides for a single interactive interface suite enabling proxy transfer of funds to and from separate accounts maintained at separate institutions, through the single user interface suite. The advantageous aspect of such higher architecture is that added convenience is provided for users because all of the proxy funds transfer operations may be performed without requiring physical Internet navigation by the user to accounts hosted by servers of separate institutions. Schrader is limited to transferring funds from an account at a primary institution to another account of the same institution.

In response the Examiner rejected the claims on their merits in the official Office Action dated 10/21/2003 using new grounds of rejection, retaining the same reference of Schrader, and further rejected the claims to informalities. In response to this Office Action, the claims were further amended to overcome the rejection due to informalities, and also to specifically recite proxy transfer of funds from or to said financial accounts, as opposed to simply between financial accounts, and that the accounts are maintained at separate financial institutions. Further argument was provided that the reference of Schrader discloses that the user may only connect to and manage accounts at one financial institution at a time, and that the higher structure of appellant's claimed invention enables management of several accounts, at separate institutions, and proxy transfer of funds to and from the separate accounts, using the same single interface, enabling the separate accounts and information pertaining to those accounts to be viewed simultaneously by the user.

The Examiner responded in the official Office Action dated 04/02/2004 that the previous claims amendments were acknowledged, and the claim rejection due to informalities was overcome, but appellant's arguments pertaining to the patentability of the claims over Schrader were considered by the Examiner to be moot in view of new grounds of rejection, as the new prior art reference of Hagan was introduced. The Examiner stated in this response, that the reference of Hagan discloses the claimed software interface enabling proxy transfer of funds between at least a user's financial account held at one institution and a user's financial account held at another, separate institution, as characterized in the independent claims. The Examiner added that, in view of Hagan's teaching it would have been obvious to modify Schrader's software interface to produce the claimed invention because an artisan at the time of the invention would have recognized the fact that certain financial institutions (i.e. banks) are federally insured only up to a certain

dollar limit (i.e. FDIC) and therefore funds would need to be transferred to a multiplicity of financial institutions to safeguard against uninsured or unprotected funds. It is the Examiner's position that, further, it would have been obvious to integrate the features of the invention of Schrader into that of Hagan because the artisan would have been interested in providing the latest network technology to the customer for electronically processing transactional data and monitoring of various funds, thus, the artisan would have been motivated to employ the features of Schrader as art recognized equivalents and/or obvious extensions to Hagan to provide convenient and efficient online banking, and thus such modification would have been obvious.

Appellant, however, strongly disagrees with the Examiner's interpretation of the combined references for producing the claimed invention, because the combination does not teach or suggest every aspect of the claimed invention, as recited in the independent claims. Appellant wishes to direct the Board's attention to the specific claim language recited in claimed 1, which recites "a software suite for enabling viewing and manipulation of data through a single portal... a software interface for enabling proxy transfer of funds". A key and advantageous distinction of the claimed invention over that produced by the combined references, is that a user is enabled to transfer funds between accounts held at separate institutions, by proxy, using a single interactive interface. Prior art interfaces, such as that of Schrader, require that on-line fund transfers be conducted at the site of the account, and only support account held at a common institution. Interface of Schrader provides for the integration of the relevant information about a user's account(s) at the same institution, but fails to teach transferring of funds to and from separate accounts held at separate institutions. The invention of Schrader is limited to pulling funds from an account at a primary banking institution to another account at the same institution. The single software

interactive interface of the claimed invention allows selection from a plurality of accounts at a plurality of separate institutions. The invention of Schrader is therefore limited compared to the claimed invention.

Furthermore, the combination of Schrader/Hagan clearly must use separate software interfaces, not a single interactive interface as in the claimed invention, in order to deal with more than one primary banking institution from which funds are being pulled from. In contrast, the claimed invention provides the user with the ability to transfer funds between accounts held at separate institutions, by proxy, using a single interactive interface provides the distinct advantage over prior art interfaces, such as that of Schrader/Hagan.

Regarding the reference of Hagan, the teaching pertains more to a monitoring and reporting functions, and clearly does not provide specific teaching or suggestion of "transferring" of funds between separate institutions by proxy, using a single software interactive interface. Hagan teaches commanding or instructing the transfer of funds, if and when account balances exceed a certain preset threshold. However, this teaching fall short of enabling a user to ascertain all of the information regarding the user's separate accounts at separate institutions, view all of the information simultaneously from the single software interface, and then conduct funds transfers, by proxy, through the single interactive interface, at the time of the user's choosing. The teaching of Hagan is vague and inconclusive regarding the transfer of funds. The system of Hagan monitors the account data, and when it is determined that the value of any one account being monitored exceeds the preset amount for that account, a "command or instruction" to transfer the funds takes place, which does not specifically teach the capability of the user actually "transferring" amounts, by proxy, to and from separate accounts held at separate institutions. The teaching of Hagan is not specific as to whom or what is being "commanded". Appellant argues, therefore,

that the interface of Schrader and reporting capabilities of Hagan cannot produce the claimed invention, because the combined teachings fall short of "a software interface for enabling proxy transfer from or to a financial account at one institution and a financial account held at another, separate institution, as is specifically recited in the claims.

For these reasons, appellant argues that the prime facie case of rejection has not been adequately proved by the Examiner as argued above, and a proper rejection under 35 U.S.C. 103(a) cannot be made combining the art of Schrader and Hagan. Appellant respectfully points out that the obviousness cannot be established by combining the teaching of the combined art two produce the claimed invention absent sufficient teaching or suggestion supporting the combination. Appellant asserts that independent claims 1, 10, and 18 have been clearly demonstrated to be patentable over the combined art of Schrader and Hagan. Depending claims 2-9, 11-17 and 19-25 are therefore patentable on their own merits, or at least has depended from a patentable claim.

In conclusion, it is respectfully submitted that the prior art provided by the UDPTO in this case, either singly or in combination, essentially fails to teach or suggest all of the limitations and capabilities as recited in appellant's claim language. Accordingly appellant respectfully request that the Board reverse the final rejection of claims 1-25 and hold them allowable.

37 C.F.R 1.192(c)(9) Appendix

The following are the claims involved in the Appeal:

1. In a software suite for enabling viewing and manipulation of data through a single portal accessible from a data-packet-network, a software interface for enabling proxy transfer of funds between at least a user's financial account held at one institution and a user's financial account held at another, separate, institution comprising:

an interactive main window for configuring transfer funds orders, viewing pending transfers, viewing transaction history, and viewing active account balances related to the financial accounts;

an interactive selection window accessible through the interface, the selection window for enabling selection of the separate accounts for grouping into a list of activated accounts; and

an automated confirmation window enabling confirmation of data parameters of a requested funds transfer;

characterized in that a user operating the main interface may initiate funds transfer orders to be performed on said financial accounts at requested times by proxy in a fashion transparent at the time of execution to the requesting user, and the funds transfer from or to said financial accounts.

2. The software interface of claim 1 wherein the data-packet-network is the Internet network.
3. The software interface of claim 1 wherein the data is accessible over the Internet and subscribed to by the operating user.
4. The software interface of claim 1 wherein the data is hosted in file servers addressed on the Internet network.
5. The software interface of claim 1 wherein a first interactive link is embedded in the main interface, the first interactive link for providing access to a secondary interface for adding accounts to the list of activated accounts for consideration in transferring funds.
6. The software interface of claim 1 wherein the main and secondary interfaces are provided in the form of hyper-text-markup-language.
7. The software interface of claim 5 wherein a second interactive link is embedded within the main interface, the second interactive link for providing access to a secondary interface for querying states of initiated funds transfers.
8. The software interface of claim 1 having interactive menus within the main interface, the menus comprising an interactive tool showing lists of activated accounts for transferring funds.
9. The software interface of claim 1, further comprising an input interface for inputting account information required to successfully complete a transfer funds

operation, the input interface launched automatically when missing data is detected during a transfer funds sequence.

10. An interactive method for transferring funds from or to a user's financial account held at one institution and a user's financial account held at another institution through a single interface comprising steps of:

- (a) inputting in a data field within the single interface a transfer amount;
- (b) selecting from a data menu within the single interface a date for the funds transfer to execute;
- (c) selecting from a data menu within the single interface a financial institution and associated account number of an account the transfer amount will be taken from;
- (d) selecting from a data menu within a single interface a financial institution and associated account number of and account the transfer amount will be deposited to; and
- (e) submitting the transfer funds order to be executed on the selected date.

11. The method of claim 10 wherein the data-packet-network is Internet network.

12. The method of claim 10 wherein in step (a), the single interface is a hyper-text-markup-language interface.

13. The method of claim 10 wherein in step (a), the transfer amount is input by selecting from a list of available amounts.

14. The method of claim 10 wherein the method is practiced by a user operating a remote computer node connected to the network.

15. The method of claim 14 wherein the computer node is a personal computer with Internet accessibility.

16. The method of claim 14 wherein the computer node is a cellular telephone with Internet accessibility.

17. The method of claim 14, wherein the computer node is a personal digital assistant with Internet accessibility.

18. An interactive system for transferring funds from or to a user's online financial account held at one institution and a user's online financial account held at another, separate, institution, the funds transfer capably performed across disparate on-line accounts and services over a data-packet-network comprising:

- a first server node connected to the network, the server node providing a service-access-point for accessing users;

- a second server node connected to the network and accessible to the first server node, the second server node providing automated navigation, data procurement, and data aggregation on behalf of the accessing users;

- a plurality of server nodes connected to the network and accessible to the second server node, the server nodes functioning as data sources for the data procurement and aggregation; and

- a funds transfer software interface installed on the first server node, the interface accessible to the accessing users connected to the network by respective remote nodes;

- characterized in that users accessing the first server node from the remote nodes interact with the funds transfer interface for the purpose of ordering funds

transfers, the funds transfers performed by proxy using cooperative functions of the first and second server nodes, and funds may be transferred either from or to said financial accounts.

19. The interactive system of claim 18 wherein the data-packet-network is the Internet network.

20. The interactive system of claim 18 wherein the first server node is a portal server providing a personalized interfaces of the form of hyper-text-markup-language interfaces.

21. The interactive system of claim 18 wherein the on-line accounts and services are accessible over the Internet and subscribed to by the accessing users.

22. The interactive system of claim 18 wherein the remote nodes are personal computers with accessibility to the Internet.

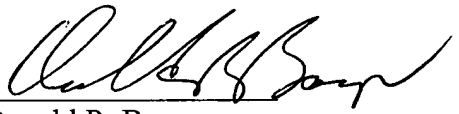
23. The interactive system of claim 18 wherein the remote nodes are cellular telephones with accessibility to Internet.

24. The interactive system of claim 18 wherein the remote nodes are hand-held computers with accessibility to the Internet.

25. The interactive system of claim 18 wherein the funds-transfer software interface is linked to at least one secondary interface provided in the form of hyper-text-markup-language.

If any additional time extensions are required beyond any extension petitioned with this Appeal Brief, such extensions are hereby requested. If there are any fees due beyond any fees paid with this Appeal Brief, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,
Srihari Kumar et al.

by 
Donald R. Boys
Reg. No. 35,074

Central Coast Patent Agency
P.O. Box 187
Aromas, CA 95004
(831) 726-1457